

Order

Entered: September 11, 2002

**Michigan Supreme Court
Lansing, Michigan**

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

1998-50

Amendments of Rules 3.201 and
3.204 of the Michigan Court Rules

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendments of Rules 3.201 and 3.204 of the Michigan Court Rules are adopted, to be effective January 1, 2003.

[The present language is amended as indicated below.]

Rule 3.201 Applicability of Rules

(A)-(C) [Unchanged.]

(D) When used in this subchapter, unless the context otherwise indicates:

(1) “Case” means an action initiated in the family division of the circuit court by:

(a) submission of an original complaint, petition, or citation;

(b) acceptance of transfer of an action from another court or tribunal; or

(c) filing or registration of a foreign judgment or order.

(2) “File” means the repository for collection of the pleadings and other documents and materials related to a case. A file may include more than one case involving a family.

(3) “Jurisdiction” means the authority of the court to hear cases and make decisions and enter orders on cases.

Rule 3.204 Proceedings Affecting Minors

(A)-(C) [Unchanged.]

(D) In a case involving a dispute regarding the custody of a minor child, the court may, on motion of a party or on its own initiative, for good cause shown, appoint a guardian ad litem to represent the child and assess the costs and reasonable fees against the parties involved in full or in part.

Staff Comment: The September 11, 2002, amendments of MCR 3.201 and 3.204, effective January 1, 2003, are based on proposals by the Family Division Joint Rules Committee. New MCR 3.201(D) defines several terms, and new MCR 3.204(D) states the authority of the court to appoint a guardian ad litem for a minor child in a case in which child custody is disputed.

The staff comment is published only for the benefit of the bench and bar and is not an authoritative construction by the Court.